

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH S. BARONE,

Plaintiff,

- v. -

UNITED STATES OF AMERICA,
SPECIAL AGENTS MICHAEL GAETA,
GREGORY MICELI and MICHAEL
TROMBETTA in their official capacities as
Agents of the Federal Bureau of Investigation
And in their individual capacities,

Defendants.
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WHEREAS, this Action was filed on May 23, 2012;

WHEREAS, an Amended Complaint was filed on October 14, 2014;

WHEREAS, Defendants moved to dismiss the Amended Complaint, and that motion was
fully briefed as of March 6, 2015;

WHEREAS, on October 29, 2015, Magistrate Judge Dolinger issued a Report and
Recommendation ("R&R") recommending that Defendants' motion be granted in part and
denied in part;

WHEREAS, the deadline for the parties to file objections to the R&R is either November
12, 2015, per Federal Rule of Civil Procedure 72, or November 16, 2015, as indicated on the
docket (Dkt. No. 72);

WHEREAS, counsel for the parties have conferred and mutually consent to and request:
(1) an extension of the date to file objections to the R&R to December 14, 2015, and (2) an
extension of the date to file responses to those objections to January 8, 2016;

U.S. DISTRICT COURT

DEPARTMENT OF JUSTICE

FILED

DOCKET

DATE FILED: 11/10/15

12 Civ. 4103 (LAK) (RJP)

**STIPULATION AND ORDER
OF EXTENSION AND
ADJOURNMENT**

WHEREAS, the reasons for these requests include: previously planned absences of counsel for the parties, the length and complexity of the R&R, and the need to obtain full client review of these filings;

WHEREAS, this is the first request that has been made for an extension of these deadlines;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Defendants, and their counsel, that:

1. The deadline for the parties to object to the R&R shall be December 14, 2015; and
2. The deadline for the parties to respond to objections to the R&R shall be January 8, 2016.

HERZFELD & RUBIN, P.C.
Attorneys for Plaintiff

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SO ORDERED:

Dated: New York, New York
November 10, 2015

HON. LEWIS A. KAPLAN, U.S.D.J.

HON. ANDREW J. PECK
United States Magistrate Judge
Southern District of New York

BY ECT

in ECF: [signature]
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